In the High Court of Punjab and Haryana, Chandigarh

CWP No. 16496 of 2006

Date of Decision: October 17, 2006

Vinod Kumar

…Petitioner

Versus

State of Haryana and others

…Respondents

CORAM: HON'BLE MR. JUSTICE M.M. KUMAR
HON'BLE MR. JUSTICE M.M.S. BEDI

PRESENT: Mr. Ravi Verma, Advocate,
for the petitioner.

JUDGMENT

M.M. KUMAR, J. (Oral)

This petition filed under Article 226 of the Constitution prays for quashing order dated 12.6.2006 (P-4) passed by respondent No. 2, whereby the petitioner has been transferred from Government Senior Secondary School, Jatwara (District Sonepat) to Government High School, Rajpur (District Sonepat) vice respondent No. 3, as the same is in violation of the rationalization/transfer policies, dated 20.3.1977 and 20/21.3.1991 (P-2 and P-3), inasmuch as, the petitioner is a N.C.C. Officer and no N.C.C. activity is being carried out at the transferred place of posting of the petitioner. A further prayer has

been made to direct the respondents to re-transfer the petitioner at Government Senior Secondary School, Jatwara (Sonepat). It is appropriate to mention here that the petitioner has already represented to respondent No. 2 by sending representation dated 15.6.2006 (P-5). The Commanding Officer, 12th Haryana Bn. N.C.C., Sonipat, and the Deputy Director General, NCC Directorate Punjab, Haryana, Himachal Pradesh and Chandigarh, have also written letters dated 15.6.2006 and 30.6.2006 (P-6 and P-7) to respondent No. 2 for cancellation of the transfer of the petitioner.

In view of the above, without going into the merits of the case, we deem it just and appropriate to direct respondent No. 2 to take cognizance of the representation dated 15.6.2006 (P-5) and the aforementioned letters dated 15.6.2006 and 30.6.2006 (P-6 and P-7 respectively) and decide the same expeditiously preferably within a period of six weeks from the date a certified copy of this order is presented. It shall be appreciated if a speaking order is passed.

Petition stands disposed of in the above terms.

(M.M. KUMAR)
JUDGE

(M.M.S. BEDI)
JUDGE

October 17, 2006
Pkapoor